

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

ROBERT L. BROWN,
Plaintiff

v.

JO ANNE B. BARNHART,
Commissioner of Social Security,
Defendant

Civil No. 01-291-P-C

**ORDER AFFIRMING THE
REPORT AND RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge having filed with the Court on November 20, 2002, with copies to counsel, his Report and Recommended Decision (Docket Item No. 9) in the above-entitled matter; and the time for filing objections thereto having expired without any objections having been filed; *see* 28 U.S.C. § 636(b)(1); and this Court having reviewed and considered the Magistrate Judge's Report and Recommended Decision, together with the entire record; and having made a *de novo* determination of all matters adjudicated by the Magistrate Judge's Report and Recommended Decision; and this Court concurring with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and having determined that no further proceeding is necessary; it is **ORDERED** as follows:

- (1) The Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.
- (2) The decision of the Commissioner is hereby **VACATED**;
- (3) This cause is hereby **REMANDED**; and
- (4) The Commissioner is hereby **INSTRUCTED** to obtain, at the expense of the Social Security Administration, an additional consultative examination of the Plaintiff, following which the sequential-evaluation process is to be undertaken anew.

GENE CARTER
District Judge

Dated at Portland, Maine this 23rd day of December, 2002.

ROBERT L BROWN
plaintiff

THOMAS S. CAREY, ESQ.
[COR LD NTC]
CAREY & ASSOCIATES
114 CONGRESS ST.
P.O. BOX 100
RUMFORD, ME 04276-0100
364-7826

v.

SOCIAL SECURITY ADMINISTRATION
COMMISSIONER
defendant

JAMES M. MOORE, ESQ.
[COR LD NTC]
U.S. ATTORNEY'S OFFICE
P.O. BOX 2460
BANGOR, ME 04402-2460
945-0344

KAREN BURZYCKI, ESQ.
[COR LD NTC]
ASSISTANT REGIONAL COUNSEL
OFFICE OF THE CHIEF COUNSEL,
REGION 1
2225 J.F.K. FEDERAL BUILDING
BOSTON, MA 02203
617/565-4277